

REMARKS UNDER 37 CFR § 1.111

Formal Matters

Claims 43-69 are pending after entry of the amendment above.

Claims 33-42 are canceled without prejudice to renewal.

Support for new claims 43-69 is found throughout the specification, and particularly at, for example: page 8, lines 8-10; page 18, lines 23-27; page 25, lines 21-24; -22; page 27, lines 16-30; page 28, lines 9-10; page 36, lines 8-14; page 47, lines 1-26; and in original claim 31

Attached hereto is a marked-up version of the changes made to the specification. The attached page is captioned **“Version with markings to show changes made.”**

Applicants respectfully request entry of the amendment.

No new matter has been added.

Interview Summary

Applicants extend their gratitude to Examiner Murphy for the telephone interview conducted with the undersigned on June 14, 2002 regarding the response to the restriction requirement in the present application. Applicants proposed that all claims in the present case be canceled, and that claims directed to a method for treating arthritic or inflammatory conditions, and pharmaceutical compositions useful in same, be considered as the elected invention.

Response to Restriction Requirement

Having canceled all pending claims without prejudice, applicants hereby elect for prosecution on the merits the invention of the claims presented herein, which claims are directed to methods of treating an arthritic or inflammatory condition and pharmaceutical conditions useful in these same methods.

Applicants respectfully submit that since none of the claims have been examined on the merits, presentation of these new claims, which claims can be examined in a single group, is proper and fully responsive to the outstanding Office Action.

Applicants do not traverse restriction of the claims previously presented between isolated polynucleotides and methods for increasing signal transduction. However, applicants do traverse the rejection to the extent the division of the claims is based upon sequence identification number (SEQ ID NO). Each of the recited sequences has already been searched in the examination of pending application USSN 09/081,385. Accordingly, it would not be a burden on the Examiner to consider these claims together, and no restriction is permitted (MPEP § 804).

In the event that this restriction based on SEQ ID NO is maintained, applicants hereby provisionally elect SEQ. ID NO:9 for examination in the newly presented claims on the merits. Applicants hereby request rejoinder of the other SEQ. ID NOs. into the application upon determination that SEQ. ID NO:9 is free of prior art.

Conclusion

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number IRVN-007CIP2.

Respectfully submitted,
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Date:

June 17, 2002

By:

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"Version with markings to show changes made."

In the title:

Please replace the title on page 1, line 1, with the following rewritten title:

~~Factors Affecting Tumor Necrosis Factor Receptor Releasing Enzyme Activity~~
TREATING ARTHRITIS WITH TNF RECEPTOR RELEASING ENZYME

In the Claims

Cancel claim 33-42 without prejudice.

New Claims 43-69 are added.